

Feb. 3. 2003 7:51PM

No. 0516 P. 1

Attorney Docket No. Old: GEM-80890
New: GEMS8081.028

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : SINGH, Vikram et al.
Serial No. : 09/468,752
Filed : December 21, 1999
For : Method and Apparatus for Screening a Potential Customer
and Assigning an Account Number to the Potential Customer
Across a Global Computer Network
Group Art No. : 3627

Examiner : Andrew J. Rudy

CERTIFICATION UNDER 37 CFR 1.8(a) and 1.10

I hereby certify that, on the date shown below, this correspondence is being:

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GROUP 3600

AFTER FINAL RESPONSE

Dear Sir:

Responsive to the Office Action mailed December 3, 2002, Applicant requests reconsideration and consideration of the following remarks.

REMARKS

Claims 1-23 are pending in the present application. In the Office Action of December 3, 2002, claims 1-23 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Hinh et al. (USP App. Pub. No. 2001/0042026) or Westrope et al. (USP 5,968,110).

Regarding the Examiner's rejection of claims 1-23 under 35 U.S.C. §103(a), the Examiner took Official Notice that it is well known to prescreen before receiving a credit application. "The Examiner may take Official Notice of facts outside of the record which are capable of instant and unquestionable demonstration as being 'well-known' in the art." MPEP § 2144.03. Furthermore, the Examiner must "cite a reference in support of his or her position" should the Applicant traverse the assertion. Id. In the case at hand, Applicant disagrees with the